

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

BILOXI MARSHLANDS, CORPORATION, et al.,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA

Defendant.

Case Nos. 12-382L, 14-3L, 15-  
710L, 15-711L

Honorable Ryan T. Holte

**Electronically Filed June 29, 2022**

**JOINT STATUS REPORT**

Pursuant to the Court's Order of November 2, 2021 (ECF 200) the parties hereby submit the following joint status report regarding the United States' completion of its document productions in response to Plaintiffs' July 23, 2021 requests.

On June 24, 2022, undersigned counsel for the United States informed Plaintiffs by letter that the United States has completed its production of documents responding to Plaintiffs' Supplemental Requests for Production served on July 23, 2021. To date, the United States has produced to Plaintiffs over thirty-eight thousand (38,000) non-privileged documents from custodians at the United States Army Corps of Engineers (Corps).

Since serving written responses and objections to Plaintiffs' discovery requests on September 30, 2021, the United States' discovery effort has included the production of twenty-two thousand, one-hundred and twenty-one (22,121) non-privileged documents Plaintiffs selected during their review of the hardcopy files belonging to Corps custodians that were originally collected and indexed as part of earlier Hurricane Katrina-related litigation. The United States also retrieved from storage thousands of containers of electronically stored information (ESI) originally collected for the Hurricane Katrina-related litigation, loaded that data to a Justice Department workspace, and, pursuant to an agreement with Plaintiffs' counsel, searched that data for materials responsive to

Plaintiffs' requests. The United States produced over sixteen thousand, five hundred (16,500) non-privileged documents responsive to the parties' negotiated search terms. The United States' productions took place over a period of several months, with productions beginning on December 2, 2021 and continuing through June 24, 2022.

Under the Court's Order of November 2, 2021, Plaintiffs' final supplemental responses to the United States' interrogatories served September 2015 and June 2021 are due on August 1, 2022, and the parties' joint status report regarding final steps for discovery in this case is due on August 11, 2022. Given the volume of documents that the United States has produced, Plaintiffs' counsel believes that it may become necessary to seek the Court's leave for a 30-day extension of the foregoing deadlines.

Respectfully submitted this 29th day of June 2022.

TODD KIM  
Assistant Attorney General  
Environment & Natural Resources Division

<p><u>/s/ Camilo K. Salas III by Joshua P Wilson</u> <u>with permission</u> CAMILO K. SALAS III (LSBA #11657) SALAS &amp; Co., L.C. 650 Poydras Street, Suite 2000 New Orleans, LA 70130 Telephone: (504) 799-3080 Facsimile: (504) 799-3085 E-Mail: csalas@salaslaw.com</p> <p><i>Counsel of Record for Plaintiffs</i></p>	<p><u>/s/ Joshua P. Wilson</u> JOSHUA P. WILSON ELIZABETH R. MCGURK WILLIAM J. SHAPIRO United States Department of Justice Environment &amp; Natural Resources Division Natural Resources Section 150 M Street, NE Washington, D.C. 20002 Telephone: (202) 305-0482 Facsimile: (202) 305-0506 joshua.wilson@usdoj.gov elizabeth.mcgurk@usdoj.gov william.shapiro@usdoj.gov</p>
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*Counsel of Record for the United States*